

# MAYOR & COUNCIL AGENDA COVER SHEET

## MEETING DATE:

July 7, 2003

## CALL TO PODIUM:

Daniel Janousek

## RESPONSIBLE STAFF:

Daniel Janousek, Long Range  
Planning

## AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
X	Resolution
X	Policy Discussion
	Work Session Discussion Item
	Other:

## PUBLIC HEARING HISTORY:

(Please complete this section if agenda item  
is a public hearing)

Introduced	
Advertised	05-14-2003
	05-21-2003
Hearing Date	6-02-2003
Record Held Open	7-02-2003
Policy Discussion	7-07-2003

## TITLE:

**SDP-03-004, Amendment to SDP 7-1** from 26,000 square feet of previously approved retail land use to 42,091 square feet of mixed land use. The subject property is located at 183 Kentlands Boulevard, Midtown, Kentlands, Lot 1 Block Q and is bordered by Great Seneca Highway and Kentlands Boulevard. The subject property consists of approximately 3.41 acres of land and is zoned MXD (Mixed Use Development).

## SUPPORTING BACKGROUND:

Attached are additional exhibits received since the joint public hearing on June 2, 2003, and prior to the closing of the City Council's record on July 2, 2003. These are listed in bold type on the Index of Memoranda.

At their meeting of June 18, 2003, the Planning Commission recommended approval of this SDP amendment to the Mayor and City Council with four (4) conditions. Exhibit 9 contains the Planning Commission's recommended conditions as stated in their CPC memorandum.

The City Attorney has reviewed the resolution of adoption.

## DESIRED OUTCOME:

**Adopt Resolution.**

**SDP-03-004**  
**Amendment to SDP 7-1**  
**Saul Centers**  
**183 Kentlands Boulevard**  
**Joint Public Hearing**  
**Index of Memoranda**

**Updated July 2, 2003**

<b>Number</b>	<b>Exhibit</b>
1.	Site Plan Application dated May 12, 2003
2.	Site location map
3.	Site Plan, Landscape Plan and Elevations
4.	Notice of Joint Public Hearing sent to <i>Gaithersburg Gazette</i> on May 13, 2003
5.	Notice of Public Hearing sent May 15, 2003
6.	Resolution R-86-97 granting approval for Schematic Development Plan SDP 7-1, known as Kentlands Midtown Phase 2, Section 3 & 4, Market Square, and Phase one of Lakelands dated July 7, 1997
7.	Letter from Wheeler & Korpeck, LLC, Attorneys at Law, to Mr. Daniel Janousek, Planner, dated June 13, 2003.
8.	Staff Analysis
9.	Communication: Planning Commission, June 27, 2003
10.	E-mail from Elly Shaw-Belblidia to the Mayor and City Council dated June 27, 2003
11.	E-mail from Nora Caplin to Dave Humpton dated June 27, 2003
12.	E-mail from Richard L. Arkin to the Mayor and City Council dated July 1, 2003
13.	E-mail from Brian O'Looney to Fred Felton dated June 13, 2003
14.	Joint Public Hearing Transcript, June 2, 2003
15.	City Council Minutes, June 2, 2003
16.	Planning Commission Minutes, June 18, 2003

CITY OF GAITHERSBURG  
31 South Summit Avenue

MAYOR AND COUNCIL  
RESOLUTION TO APPROVE

SCHEMATIC DEVELOPMENT PLAN SDP-03-004,  
AN AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN SDP 7-1  
FROM 26,000 SQUARE FEET OF RETAIL LAND USE TO 17,686 SQUARE  
FEET OF OFFICE LAND USE AND 24,405 SQUARE FEET OF RETAIL  
CENTER LAND USE FOR A TOTAL OF 42,091 SQUARE FEET OF MIXED  
LAND USE, LOCATED AT 183 KENTLANDS BOULEVARD, MIDTOWN,  
KENTLANDS, LOT 1, BLOCK Q, 3.41 ACRES, IN THE MIXED USED  
DEVELOPMENT (MXD) ZONE, GAITHERSBURG, MARYLAND.

**SDP-03-004**

OPINION

This proceeding constitutes an action pursuant to §24-160D of the Zoning Ordinance (Chapter 24 of the Gaithersburg City Code) which permits the Mayor and City Council to review and approve a schematic development plan in the MXD (Mixed Use Development) Zone; and further, §24-160D.10 and 24-160D.11 in which the Mayor and City Council may approve an amendment to a schematic development plan, consistent with the procedures for amendment of optional method plans as provided in §24-198(c) of the City Code.

The subject property, Midtown, Kentlands, Lot 1, Block Q, is located at 183 Kentlands Boulevard, Gaithersburg, Maryland, in the MXD (Mixed Use Development) Zone.

OPERATIVE FACTS

The subject parcel is in Kentlands, located at 183 Kentlands Boulevard, bordered by Great Seneca Highway and Kentlands Boulevard, and consists of approximately 3.41 acres of land.

A joint public hearing was held on schematic development plan SDP-03-004 on Monday, June 2, 2003, before the Mayor and City Council and Planning Commission. This plan is an amendment to schematic development plan SDP 7-1 approved on July 7, 1997. The hearing had been advertised in the *Gaithersburg Gazette* on May 14, 2003 and May 21, 2003, with the required parties given notice and the property posted per §24-196 of the City Code.

The Mayor and City Council and Planning Commission have reviewed the amendment to the schematic development plan submitted by the applicant and the evidence of record. The Schematic Development Plan, as submitted, requested a change in land use from 26,000 square feet of retail land use to 17,686 square feet of office land use and 24,405 square feet of retail center land use for a total of 42,091 square feet of mixed land use.

In July of 1997, the Mayor and City Council adopted Resolution R-86-97 approving Schematic Development Plan SDP 7-1, identified as Kentlands Midtown Phase 2, Section 3 & 4, Market Square, and Phase One of Lakelands. SDP 7-1 included 1,175 residential dwelling units, 46 live/work units, 15 townhouse offices, a 16,000 square foot office building, 264,918 square feet of retail space, 58,550 square feet of restaurant space and a 3,000 square foot service station.

Lot 1 is subject to a condition of schematic development plan approval that requires the building to be set on the axis created by the entrance drive prior to final site plan approval.

The building is located in the general location of the approved schematic development plan. The building does sit on the axis created by the entrance drive off Kentlands Boulevard. The building material is brick and EFIS (Exterior Finish Insulation System). The building includes two tower elements. One of the towers is located at the axis created by the entrance drive on the west elevation and the other tower is located on the east elevation. The plan includes a complete landscape plan.

At the June 2, 2003 Joint Public Hearing, the Planning Commission voted unanimously to close their record in eleven days, on June 13, 2003, and the City Council voted unanimously to close their record in thirty days, on July 2, 2003.

The Planning Commission, at their regular meeting of June 18, 2003, reviewed the complete record and voted to recommend approval of SDP-03-004 to the City Council with four (4) conditions as stated in Exhibit 9 of the record.

### FINDINGS

The City Council has reviewed the evidence of record in Schematic Development Plan SDP-03-004 per §24-160 D.10 and agrees with the findings and recommendations of the City Planning Commission and accordingly finds:

1. The plan meets or accomplishes the purposes, objectives and minimum standards and requirement of the MXD zone as stated in §24-160 D.1.
2. The development plan is in accordance with Resolution R-86-97 that requires the building to be set on the axis created by the entrance drive
3. The plan will be internally and externally compatible and harmonious with existing and planned land uses in the area in terms of the nature and use and its interrelationship with commercial and office uses within the Kentlands area.

4. The architectural features are compatible with the adjacent development in the Kentlands area.
5. The existing public facilities are adequate to service the proposed development.

### CONCLUSION

Upon consideration of all the evidence pertaining to Schematic Development Plan SDP-03-004, an amendment to SDP 7-1, the City Council concludes that the applicant has met the burden of proof that Schematic Development Plan SDP-03-004 meets the requirements of the MXD zone.

### SCHEMATIC DEVELOPMENT PLAN (SDP-03-004)

### RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Gaithersburg, on July 7, 2003, that Schematic Development Plan SDP-03-004 is hereby approved subject to the following conditions:

1. Final elevations are to be approved by the Planning Commission;
2. Landscape plan is to be further refined by the applicant and;
3. The streetscape, including the street widths, sidewalk widths, street trees, planting strips, and sidewalk locations are to be consistent with other similar projects in the City of Gaithersburg. The applicant is to work closely with City Staff to incorporate a final streetscape design to be reviewed and approved during the final site plan process;

ADOPTED by the City Council of the City of Gaithersburg on the 7th day of July, 2003.

THIS IS TO CERTIFY that the foregoing resolution was adopted by the City of Gaithersburg Mayor and City Council in a public meeting assembled on the 7th day of July 2003.

---

David B. Humpton —  
City Manager

CITY OF GAITHERSBURG  
31 South Summit Avenue

MAYOR AND COUNCIL  
RESOLUTION TO APPROVE

SCHEMATIC DEVELOPMENT PLAN SDP-03-004,  
AN AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN SDP 7-1  
FROM 26,000 SQUARE FEET OF RETAIL LAND USE TO 17,686 SQUARE  
FEET OF OFFICE LAND USE AND 24,405 SQUARE FEET OF RETAIL  
CENTER LAND USE FOR A TOTAL OF 42,091 SQUARE FEET OF MIXED  
LAND USE, LOCATED AT 183 KENTLANDS BOULEVARD, MIDTOWN,  
KENTLANDS, LOT 1, BLOCK Q, 3.41 ACRES, IN THE MIXED USED  
DEVELOPMENT (MXD) ZONE, GAITHERSBURG, MARYLAND.

**SDP-03-004**

OPINION

This proceeding constitutes an action pursuant to §24-160D of the Zoning Ordinance (Chapter 24 of the Gaithersburg City Code) which permits the Mayor and City Council to review and approve a schematic development plan in the MXD (Mixed Use Development) Zone; and further, §24-160D.10 and 24-160D.11 in which the Mayor and City Council may approve an amendment to a schematic development plan, consistent with the procedures for amendment of optional method plans as provided in §24-198(c) of the City Code.

The subject property, Midtown, Kentlands, Lot 1, Block Q, is located at 183 Kentlands Boulevard, Gaithersburg, Maryland, in the MXD (Mixed Use Development) Zone.

OPERATIVE FACTS

The subject parcel is in Kentlands, located at 183 Kentlands Boulevard, bordered by Great Seneca Highway and Kentlands Boulevard, and consists of approximately 3.41 acres of land.

A joint public hearing was held on schematic development plan SDP-03-004 on Monday, June 2, 2003, before the Mayor and City Council and Planning Commission. This plan is an amendment to schematic development plan SDP 7-1 approved on July 7, 1997. The hearing had been advertised in the *Gaithersburg Gazette* on May 14, 2003 and May 21, 2003, with the required parties given notice and the property posted per §24-196 of the City Code.

The Mayor and City Council and Planning Commission have reviewed the amendment to the schematic development plan submitted by the applicant and the evidence of record. The Schematic Development Plan, as submitted, requested a change in land use from 26,000 square feet of retail land use to 17,686 square feet of office land use and 24,405 square feet of retail center land use for a total of 42,091 square feet of mixed land use.

In July of 1997, the Mayor and City Council adopted Resolution R-86-97 approving Schematic Development Plan SDP 7-1, identified as Kentlands Midtown Phase 2, Section 3 & 4, Market Square, and Phase One of Lakelands. SDP 7-1 included 1,175 residential dwelling units, 46 live/work units, 15 townhouse offices, a 16,000 square foot office building, 264,918 square feet of retail space, 58,550 square feet of restaurant space and a 3,000 square foot service station.

Lot 1 is subject to a condition of schematic development plan approval that requires the building to be set on the axis created by the entrance drive prior to final site plan approval.

The building is located in the general location of the approved schematic development plan. The building does sit on the axis created by the entrance drive off Kentlands Boulevard. The building material is brick and EFIS (Exterior Finish Insulation System). The building includes two tower elements. One of the towers is located at the axis created by the entrance drive on the west elevation and the other tower is located on the east elevation. The plan includes a complete landscape plan.

At the June 2, 2003 Joint Public Hearing, the Planning Commission voted unanimously to close their record in eleven days, on June 13, 2003, and the City Council voted unanimously to close their record in thirty days, on July 2, 2003.

The Planning Commission, at their regular meeting of June 18, 2003, reviewed the complete record and voted to recommend approval of SDP-03-004 to the City Council with four (4) conditions as stated in Exhibit 9 of the record.

### FINDINGS

The City Council has reviewed the evidence of record in Schematic Development Plan SDP-03-004 per §24-160 D.10 and agrees with the findings and recommendations of the City Planning Commission and accordingly finds:

1. The plan meets or accomplishes the purposes, objectives and minimum standards and requirement of the MXD zone as stated in §24-160 D.1.
2. The development plan is in accordance with Resolution R-86-97 that requires the building to be set on the axis created by the entrance drive
3. The plan will be internally and externally compatible and harmonious with existing and planned land uses in the area in terms of the nature and use and its interrelationship with commercial and office uses within the Kentlands area.

4. The architectural features are compatible with the adjacent development in the Kentlands area.
5. The existing public facilities are adequate to service the proposed development.

### CONCLUSION

Upon consideration of all the evidence pertaining to Schematic Development Plan SDP-03-004, an amendment to SDP 7-1, the City Council concludes that the applicant has met the burden of proof that Schematic Development Plan SDP-03-004 meets the requirements of the MXD zone.

### SCHEMATIC DEVELOPMENT PLAN (SDP-03-004)

### RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Gaithersburg, on July 7, 2003, that Schematic Development Plan SDP-03-004 is hereby approved subject to the following conditions:

1. Final elevations are to be approved by the Planning Commission;
2. Landscape plan is to be further refined by the applicant and;
3. The streetscape, including the street widths, sidewalk widths, street trees, planting strips, and sidewalk locations are to be consistent with other similar projects in the City of Gaithersburg. The applicant is to work closely with City Staff to incorporate a final streetscape design to be reviewed and approved during the final site plan process;

ADOPTED by the City Council of the City of Gaithersburg on the 7th day of July, 2003.

THIS IS TO CERTIFY that the foregoing resolution was adopted by the City of Gaithersburg Mayor and City Council in a public meeting assembled on the 7th day of July 2003.

---

David B. Humpton  
City Manager



# WHEELER & KORPECK, LLC

WILLIAM T. WHEELER  
ROBERT L. BROWNELL  
ROGER K. BAIN  
PATRICK F. GREANEY (MD AND DC)

ATTORNEYS AT LAW  
LEE PLAZA  
8601 GEORGIA AVENUE  
SUITE 908  
SILVER SPRING, MD 20910-3439

JEROME E. KORPECK  
(1924-2001)

MAIN PHONE: (301) 587-6200  
TELEFAX: LEGAL (301) 608-3847  
TITLE (301) 589-6324

WRITERS E-MAIL:

[rbain@wandk.com](mailto:rbain@wandk.com)  
WRITERS DIRECT DIAL:

(301) 562-7285

June 13, 2003

Hand Delivered

Mr. Daniel Janousek, Planner  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20877-2098

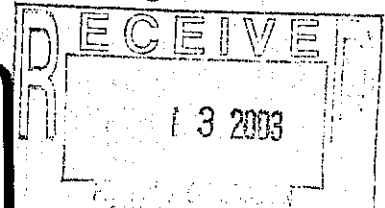
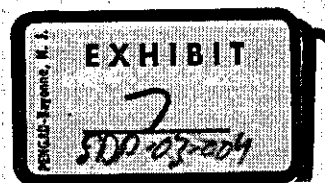
Re: Testimony – Joint Public Hearing – June 2, 2003  
SDP-03-004  
SDP-03-005

Dear Mr. Janousek:

This office represents Kentlands Retail, Inc., one of the owners at the Kentlands Square Shopping Center as regards the requested expansion of Saul Properties at Kentlands Square referenced above. This letter constitutes our testimony for the Planning Commission record which stems from the June 2, 2003 public hearing referenced above. We will be submitting additional testimony for the Mayor and Council's record prior to July 2, 2003.

Our first area of concern is the parking issue. As regards SPD-03-005, Saul Properties indicated that they expect to eliminate 320 parking spaces on the Lowe's parking lot. Their plan was to "train customers to park at Kmart and across from Giant". To our knowledge, there has been no discussion with Kentlands Retail, Inc., the owner of the Kmart parking lot, about the impact of this proposed development. Even though there may be cross parking easements within the shopping center, there are issues of maintenance, liability and allocation of square footage for future development among the different owners which should be more fully discussed and addressed.

The second issue is the congestion of the entrance street between Mattress Discounters and O'Donnell's restaurant where the four proposed new buildings would be



WHEELER & KORPECK, LLC

Mr. Daniel Janousek, Planner  
June 13, 2003  
Page 2

located. Congestion would be inevitable especially if parallel parking was permitted on the main entrance way in front of the four proposed buildings.

Our third issue relates to the visibility of the Kentlands Square Shopping Center. The Center is difficult to see as it is and does not have high visibility in the community due to sign regulations. The addition of this proposed new development would block the visibility of the Kentlands Retail, Inc. tenants from one of the main entranceways into the Shopping Center.

We look forward to working with the City of Gaithersburg in hopes that these issues can be amicably addressed.

Very truly yours,

WHEELER & KORPECK, LLC

By: 

Roger K. Bain

RKB:lek

cc: Leslie Ries, Esq. (by Mail)  
Jeanine Wolfe (by Fax 443-543-0191 and Mail)

## COMMUNICATION: PLANNING COMMISSION

---

**MEMORANDUM TO:** Planning Commission

**FROM:** Daniel Janousek, AICP

**DATE:** June 18, 2003

**SUBJECT:** SDP-03-004 -

The request is to amend the approved schematic development plan SDP 7-1, Section 3, Lot 1, Block Q, from 26,000 square feet of retail land use to 17,686 square feet of office land use and 24,405 square feet of retail land use for a total of 42,091 square feet of mixed land use

**APPLICANT:**

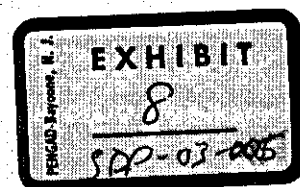
Saul Holdings Limited Partnership c/o Saul Centers  
7501 Wisconsin Avenue  
Bethesda, MD 20814

**OWNER:**

Saul Holdings Limited Partnership  
7501 Wisconsin Avenue  
Bethesda, MD 20814

**REQUEST:**

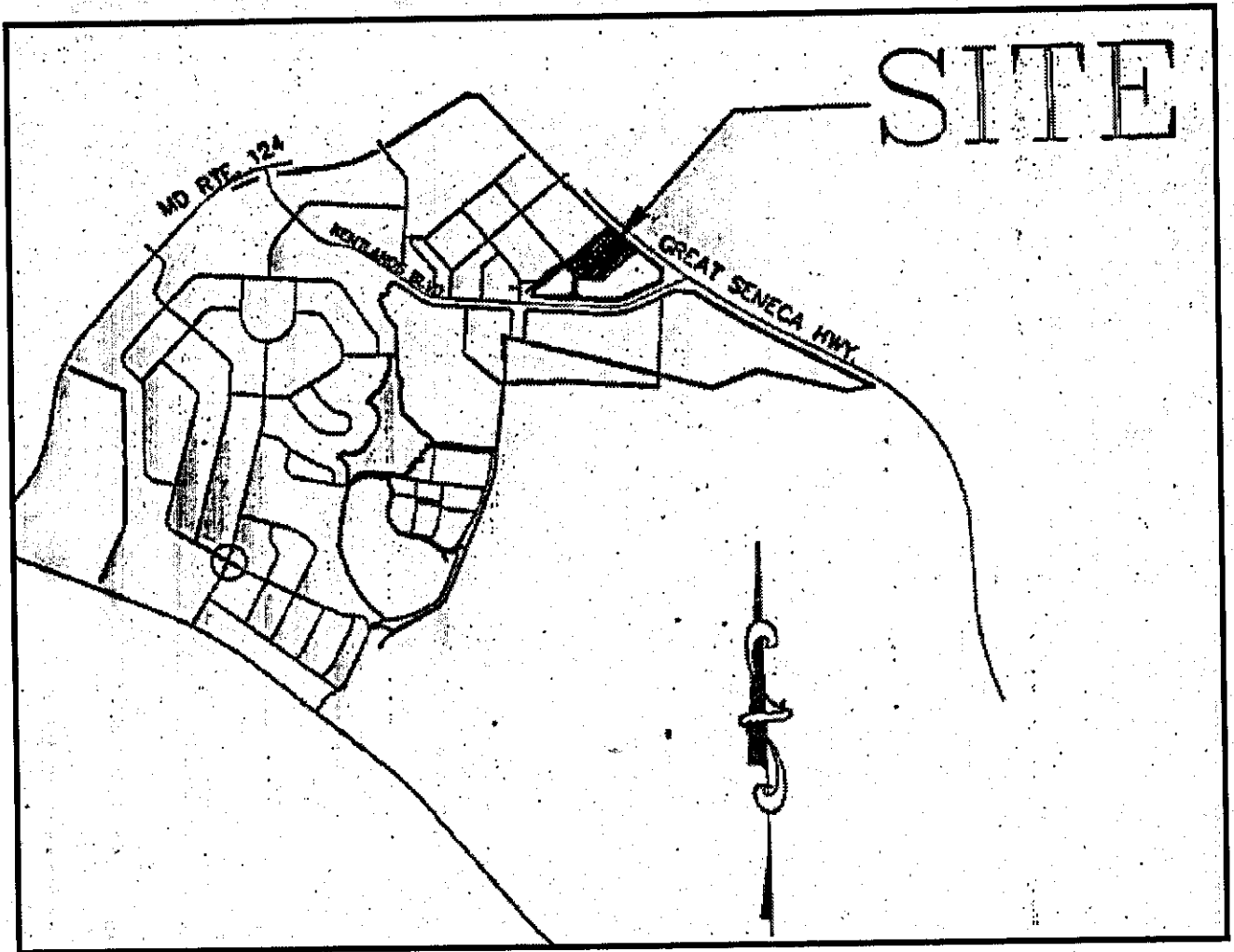
The applicant, Saul Holding Limited Partnership c/o Saul Center, requests to amend SDP 7-1 (approved July 7, 1997) by reducing 26,000 square feet of retail to 24,405 square feet of retail and adding 17,686 square feet of office in one two-story building.



**LOCATION and ZONING:**

The subject property is located at 183 Kentlands Boulevard, Lot 1, Block Q, and it is bordered by Great Seneca Highway and Kentlands Boulevard. The subject property consists of approximately 3.41 acres of land and is zoned MXD (Mixed Use Development).

*Location Map - Lot 1, Block Q, Kentlands*



The property has a Commercial/Industrial-Research-Office land use designation.

**TAX MAP REFERENCE:**

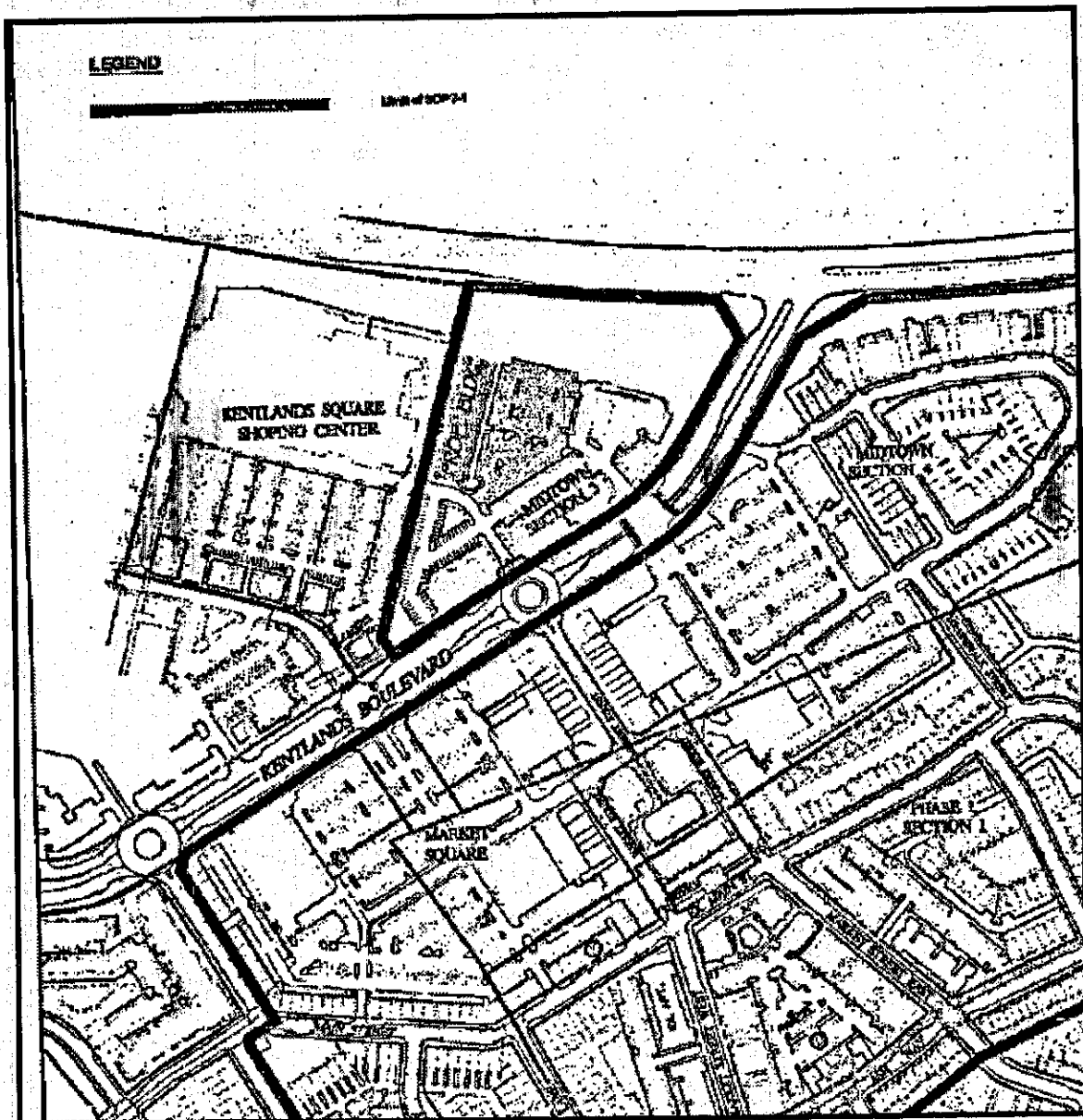
Tax Map:	Tax Map FS13
Tax ID Number:	03266888

## **BACKGROUND:**

In July of 1997, the Mayor and City Council adopted Resolution R-86-97 approving Schematic Development Plan SDP 7-1, identified as Kentlands Midtown Phase 2, Section 3 & 4, Market Square, and Phase One of Lakelands.

SDP 7-1 included 1,175 residential dwelling units, 46 live/work units, 15 townhouse offices, a 16,000 square foot office building, 264,918 square feet of retail space, 58,550 square feet of restaurant space and a 3,000 square foot service station.

*Previously Approved SDP-7-1 with Proposed Building*



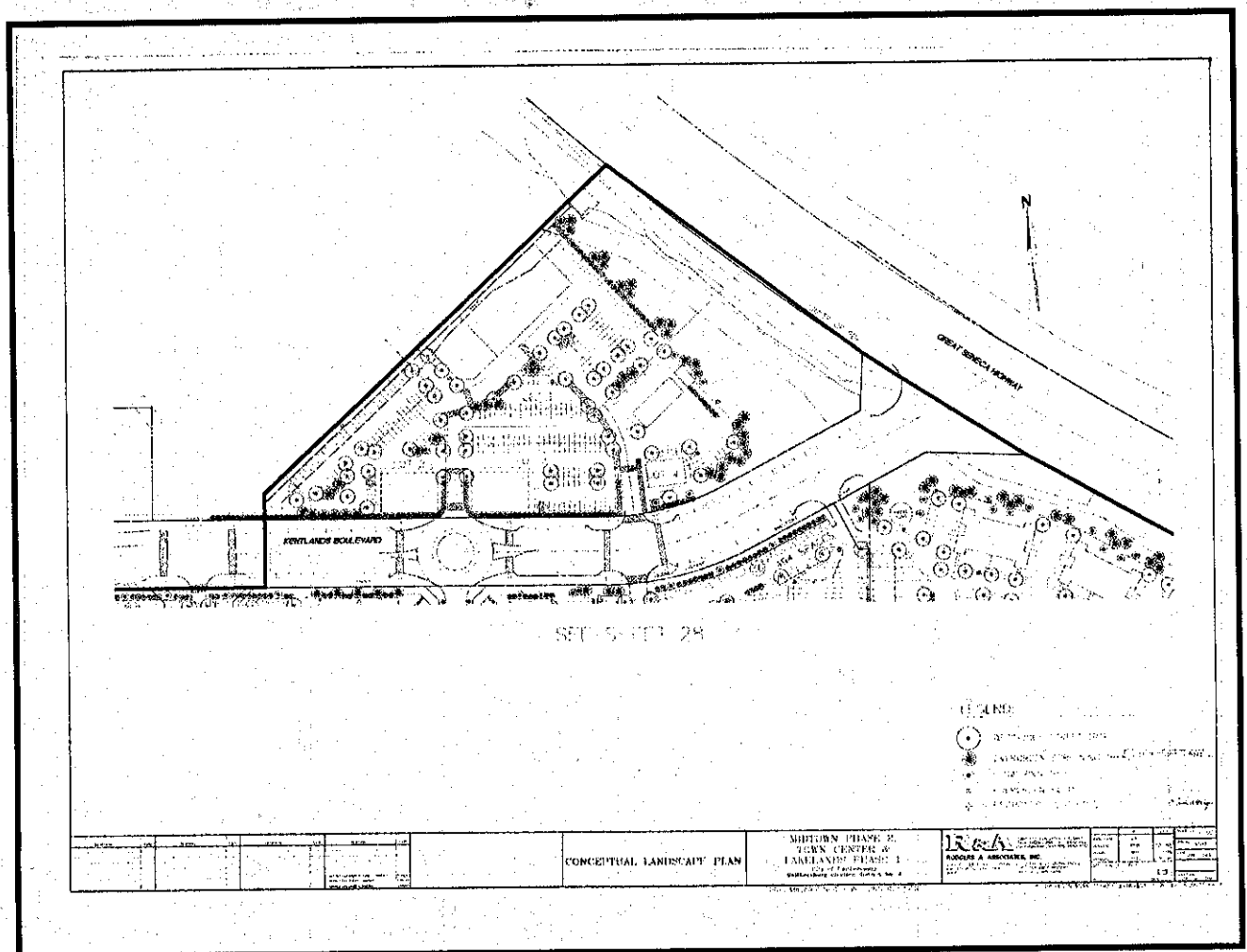
Lot 1 is subject of a condition of schematic development plan approval per Resolution R-86-97 as follows:

*"23. A building feature, to be used as a focal point on the 26,000 square foot retail building in Section 3 is to be set on the axis created by the entrance drive prior to FSP (site plan) approval."*

The applicant filed SDP-03-004 with the Planning and Code Administration on May 12, 2003 to change 26,000 square feet of retail to 24,405 square feet of retail, and also by adding 17,686 square feet of office in one two-story building. A joint public hearing was held by the Mayor and City Council and the Planning Commission on June 2, 2003. The Planning Commission held the record open for 11 days, to close on June 13. A recommendation on SDP-03-004 is scheduled to be made to the City Council at the Commission's June 18, 2003, meeting.. The City Council will hold their record open for 30 days, to close on July 2, 2003 and this item will be scheduled for Policy Discussion by the Mayor and City Council on July 7, 2003.

*Previously Approved SDP 7-1*

*Landscape Plan Depicting Location Building Location, Parking, and Landscaping Placement*



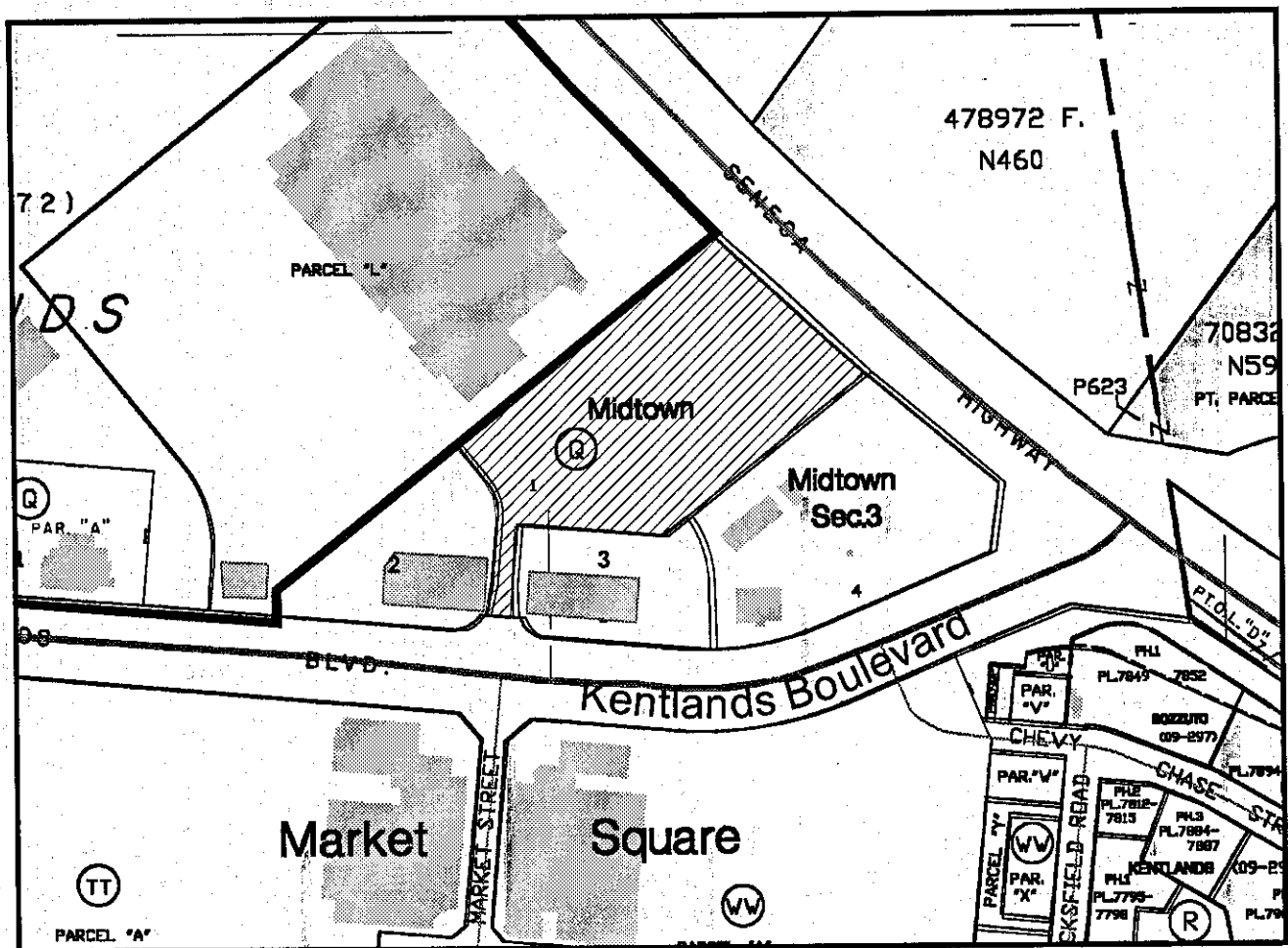
### EXISTING LAND PHYSICAL CHARACTERISTICS:

The property is vacant, and it has been graded. Properties within the limits of the SDP and adjacent to the site area are currently developed.

North of the property is a large one story retail building on Parcel L. To the east is Great Seneca Highway and the Quince Orchard Park development. To the south, is a mixed use building with restaurant and office on Lot 3, and a service station on Lot 4. Across Kentlands Boulevard to the south is the Market Square area of Kentlands. To the west is an office building on Lot 2

A large storm drain and conservation easement is located on the east side of the property.

*Site Plan Area - SDP-03-004*

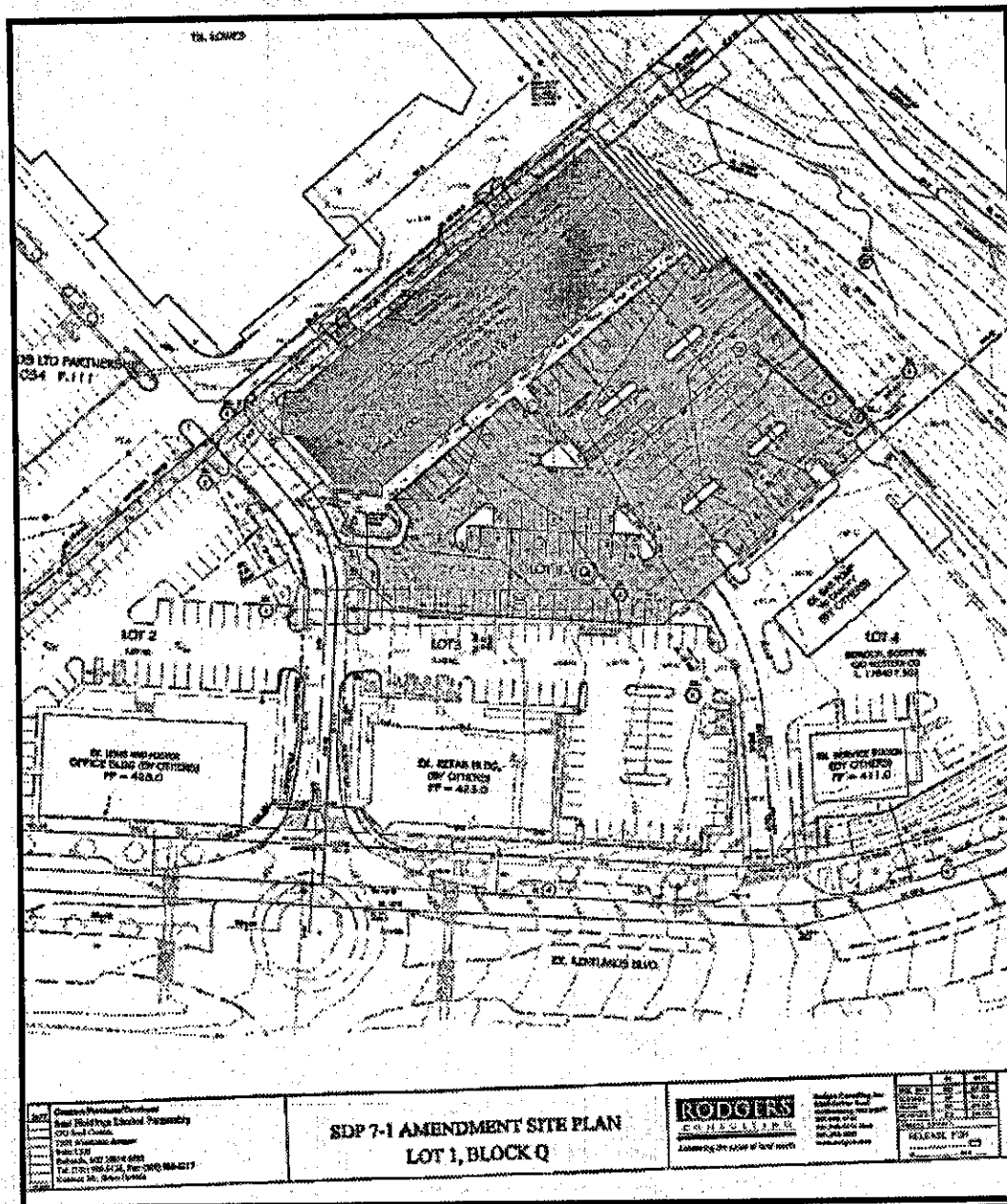


## PROPOSED USE:

### Land Use

The proposed mixed use building (24,405 square feet of retail and 17,686 square feet of office in one two-story building) is depicted in the same location as the previously approved 26,000 square foot retail building. The building is well suited for a mixed use, rather than the previously approved retail only use. The development will be compatible with the existing and planned land uses in the area. The nature of this use should fit in well with commercial and residential professional office uses within the Kentlands and Lakelands area.

### *Site Plan - SDP-03-004*





Access is proposed the site is currently configured for three locations for Lot 1. The applicant has requested an additional access point from the rear of the service station, located on Lot 4. Most of the anticipated vehicular circulation is expected to flow between Lots 1 & 3, which is consistent with the schematic development plan.

This aerial map shows the intersection of Kentlands Boulevard and Market Street. The area is divided into several sections, including 'Midtown' and 'Midtown Sec.3'. Three specific locations are marked with numbered circles: 1 is at the intersection of Kentlands Boulevard and Market Street; 2 is on Kentlands Boulevard, east of the intersection; and 3 is on Kentlands Boulevard, further east. The map also shows 'Parcel L' and 'Parcel V'.

7

The proposed plan for Lot 1 includes parking on the front of the building. This is a change from the schematic development plan and a desired component of the plan. The applicant should provide handicapped parking spaces in the front of the building.

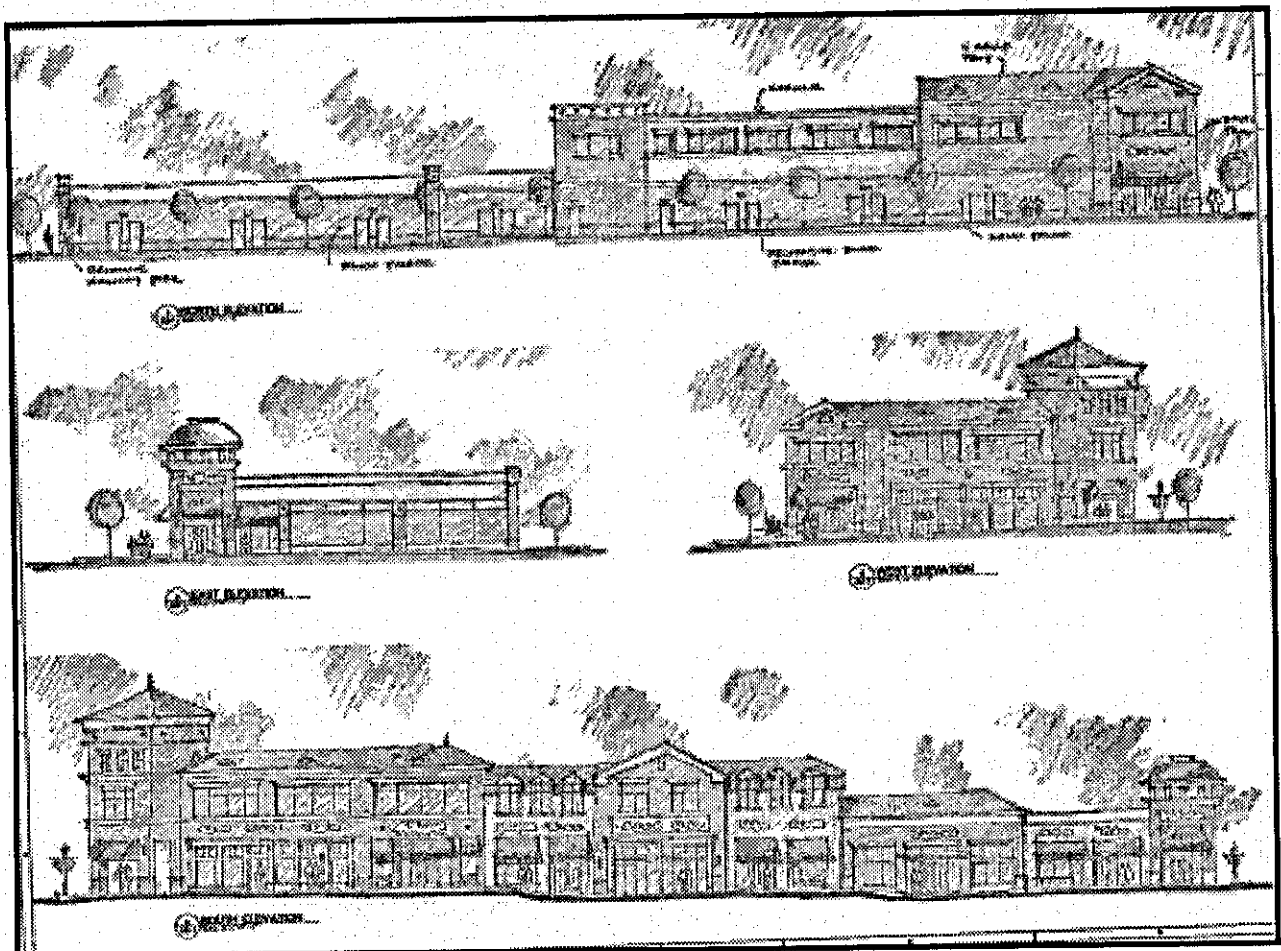
Pedestrian circulation occurs mainly along the main drive aisles between Lot 1 and Kentlands Boulevard which are lined with sidewalks and green strips that contain landscaping. Pedestrian circulation also occurs within the parking fields. The site plan is consistent with SDP in terms of access to the site and pedestrian circulation around and through the site.

### Architecture

According to the project architect, the architecture was modified to be compatible with architectural styles found in the surrounding retail development and the Market Square area. The architectural features are compatible with the adjacent development in the Kentlands and Lakelands communities

The building is a split level one and two story structure with tower elements. The building has sign bands running between the first and second stories along the entire the length of the building. The north side of the building is a service entrance with few windows. There are windows on the second story.

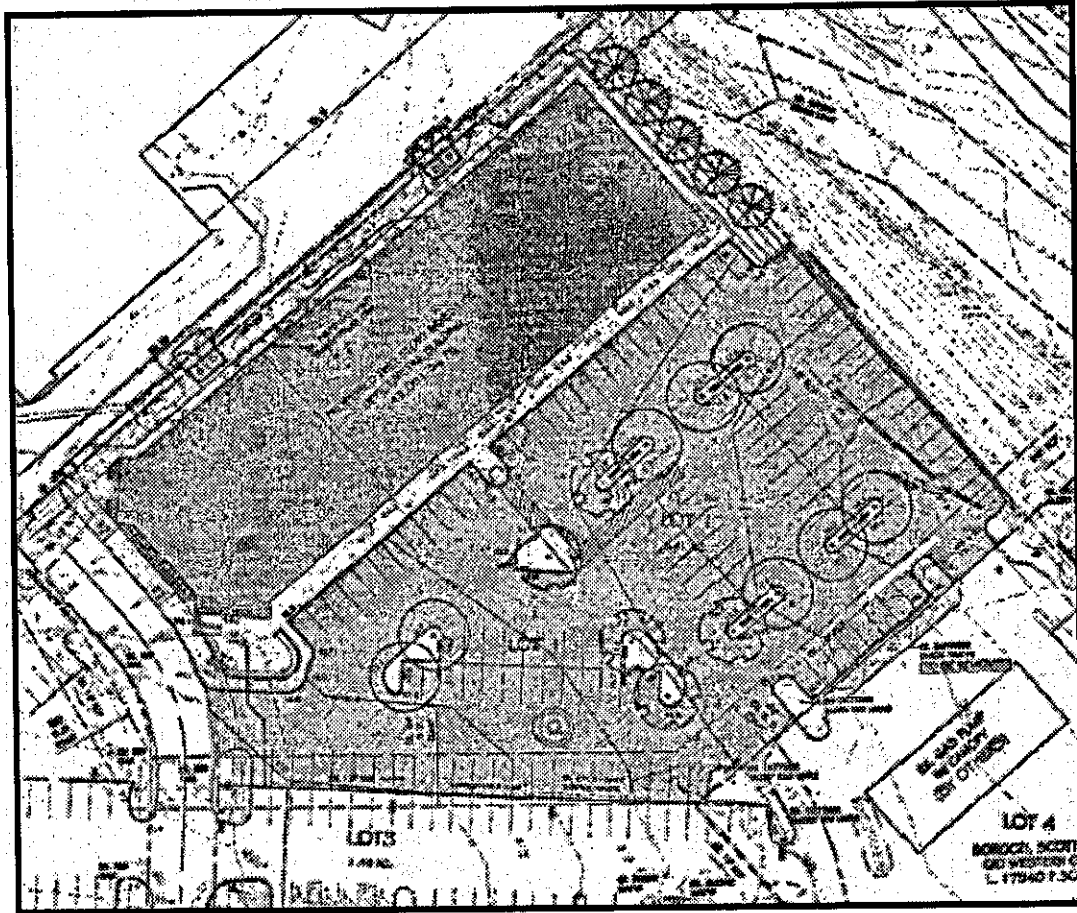
### *SDP-03-004 Elevations*



## Landscape Features

The landscaping is very minimal as the plan includes shade trees only within the parking areas in landscaped islands and along the east side of the building. The eastern portion of the lot is covered with trees as part of a conservation easement, and the site is not very visible from Great Seneca Highway.

### *Landscape Plan – SDP-03-004*



## REQUIRED FINDINGS:

### DIVISION 19. MXD ZONE, MIXED USE DEVELOPMENT

\* \* \*

Sec. 24-160D.10. Findings required.

- (b) The city council shall approve a schematic development plan only upon the finding that:
  - (1) The plan is substantially in accord with the approved sketch plan; and

- (2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone; and
- (3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and
- (4) The plan will be internally and eternally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and
- (5) That existing or planned public facilities are adequate to service the proposed development contained in the plan; and
- (6) That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and
- (7) That the plan, if approved, would be in the public interest.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission recommend APPROVAL OF SDP-03-004, an amendment to SDP-7-1, to the Mayor and City Council, as it complies with Section 24-160D.10 (b) of the Zoning Ordinance, with the following conditions:

- 1) Final elevations to be approved by the Planning Commission;
- 2) The landscape plan is to be further refined by the applicant;
- 3) Provide all necessary joint access and parking easements necessary to be reviewed and approved during the final site plan process;
- 4) Staff recommends that the Planning Commission approve any reasonable future request for parking waiver requested by the applicant and;
- 5) The streetscape design, including the street widths, sidewalk widths, street trees, planting strips, and sidewalk locations should be consistent with Kentlands and other similar projects in the City. The applicant should work closely with City Staff to incorporate a final streetscape design to be reviewed and approved during the final site plan process.

**COMMUNICATION: PLANNING COMMISSION****MEMORANDUM TO:** Mayor and City Council**VIA:** David Humpton, City Manager**FROM:** Daniel Janousek, Planner**DATE:** June 27, 2003

**SUBJECT:** SDP-03-004 - Saul Holding Limited Partnership c/o Saul Center Amendment to approved Schematic Development Plan SDP-L7-1, Kentlands Section 3, Lot 1/Block Q, from 26,000 SF of retail to 17,686 SF of office and 24,405 SF of retail use for a total of 42,091 SF of mixed land use in accordance with §24-160D.11 and §24-198(c) of the City Code. The subject property is located at 183 Kentlands Boulevard, Midtown, Kentlands, Lot 1/Block Q, bordered by Great Seneca Highway and Kentlands Boulevard. The subject property consists of approximately 3.41 acres of land and is zoned MXD (Mixed Use Development).

At its regular meeting on June 18, 2003, the Planning Commission made the following motion:

Commissioner Bauer moved, seconded by Commissioner Hicks, to recommend SDP-03-004 for approval to the Mayor and City Council, with the following conditions:

1. Final elevations are to be approved by the Planning Commission;
2. The landscape plan is to be further refined by the applicant;
3. Applicant is to provide all necessary joint access and parking easements for review and approval during the final site plan process; and
4. The streetscape design, including the street widths, sidewalk widths, street trees, planting strips, and sidewalk locations are to be consistent with Kentlands and other similar projects in the City. The applicant is to work closely with City Staff to incorporate a final streetscape design to be reviewed and approved during the final site plan process.

Vote: 5-0



**From:** Mary Beth Smith  
**To:** Felton, Fred; Humpton, David B.; Stokes, Doris  
**Date:** 6/27/03 11:33AM  
**Subject:** Fwd: Saul project in Kentlands

>>> <Mirinor@aol.com> 06/27/03 10:54AM >>>

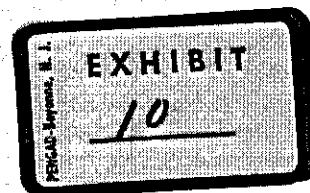
To the City Council:

I'm writing regarding the proposed new section of retail and office space that is being considered for construction near Lowe's in Kentlands (Saul Company, I believe).

If this building goes in, I hope that its location would keep open the possibility for future infill of the parking areas over there and for the possibility of a light rail (CCT) stop. We may need to back up a few steps and reconsider the project.

Thank you for your attention.

Elly Shaw-Belblidia  
340 Tschiffely Sq. Rd.  
Gaithersburg, MD 20878



**Dan Janousek - Proposed Saul shops at Kentlands**

---

**From:** Nora Caplan <nncaplan@webtv.net>  
**To:** <dhumpton@ci.gaithersburg.md.us>  
**Date:** 06/27/2003 2:03 PM  
**Subject:** Proposed Saul shops at Kentlands

---

Square

Dave, I didn't realize the proposed SDP-4 & 5? Saul shops at Kentlands Square had moved so far along the approval stage. I dislike the whole concept, location and design of what would be another unattractive, unnecessary, and unoriginal strip mall and feel it does not fit in with our New Urbanism vision.

We're at a critical stage in planning Kentlands' Midtown section. I regret to say that I've been very disappointed with Market Square and some of the Kentlands Square Shopping Center. I'm sure you're aware of how most if not all Kentlands residents are, too. I would like to urge the Mayor and Council to refrain from a decision about the Saul plans at this time. If it's too late to voice my opposition to the Planning Commission. I would like to ask the Mayor and Council for an extension of time for Saul to come up with a far better plan for their property. The developer needs to have some open meetings with the community if it wants to succeed in Kentlands.

Thank you very much for passing along these comments to the Planning Commission and/or the Mayor and Council.

Sincerely,  
Nora H. Caplan  
102 Booth Street, 16  
Gaithersburg, MD 20878



**From:** Mary Beth Smith  
**To:** Felton, Fred; Humpton, David B.; Stokes, Doris  
**Date:** 7/1/03 8:29AM  
**Subject:** Fwd: Request to keep record open on SDP-03-004 and SDP-03-005

>>> <RichardArkin@aol.com> 06/30/03 10:28PM >>>  
Your Honor and Members of the Council:

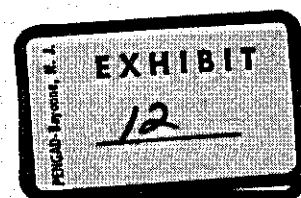
Please consider this as a request to keep the record open on SDP-03-004 and SDP-03-005, proposals for MXD development in Kentlands.

I believe that SDP-03-005 is fatally flawed because of an unjustified parking waiver request and for reasons given in my testimony at the June 2, 2003, public hearing (testimony I would like to revise and extend) and that SDP-03-004 should not be considered in isolation, since these parcels are adjacent to each other.

Moreover, I believe additional time is desirable so that the results of the "15th anniversary tune-up charrette" planning exercise can be considered in the development of plans for revisions to approved development on these parcels and for in-fill or intensification.

Thank you very much for your consideration.

Richard L. Arkin  
121 Selby Street  
Gaithersburg, MD 20878-5647  
301-258-7874/phone  
301-807-2058/cell  
1-303-474-7488/fax  
[richardarkin@aol.com](mailto:richardarkin@aol.com)





**Dan Janousek**

---

>>> "Brian O'looney" <beolooney@hotmail.com> 06/13/03 03:15PM >>>  
June 13, 2003

Dear Mr. Felton

Attached please find a statement regarding the applications SDP-03-004 & SPD-03-005, before the Planning Commission and City Council. I understand, per our previous conversation, that if I forward this to you, you or your staff can have this printed out in color for all Members of the Planning Commission, City staff involved in review of these applications, City Manager Humpton, and the City Council. I appreciate that you are willing to do this. Thank you.

Please let me know if my understandings are incorrect in any way, or if you have any questions or comments that I may address.

Thanks again for your efforts.

Brian O'Looney  
102 Kent Square Road  
Gaithersburg, MD 20878



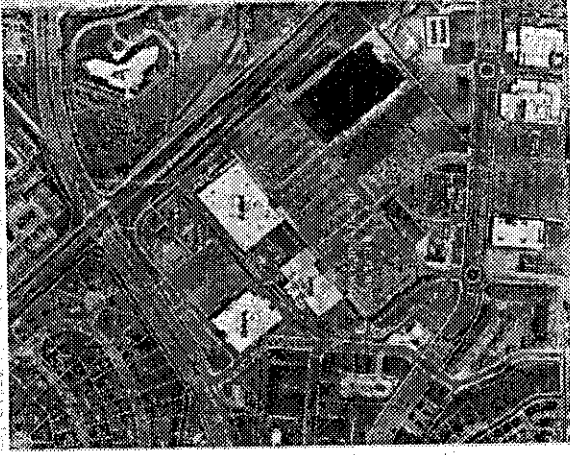
Dear Council Members and Members of the Planning Commission:

I am writing in regards to the Saul Center's proposals for Kentlands Square shopping center.

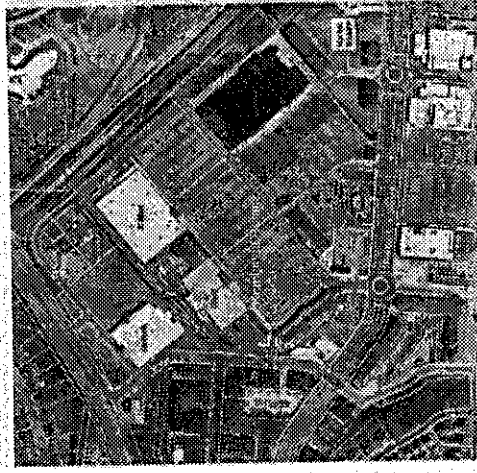
You, the members of the planning commission and the City Council, are all the primary individuals who are charged with the custodianship of land for the long term, particularly a 30-year+ outlook. This realization was hammered home to me last week when I attended the annual conference for Real Estate Opportunity Funds in New York City, on behalf of my father's small Connecticut development concern. The conference participants included most of the individuals in this country who fund larger real estate developments. This conference included some of the largest REITs and Pension Funds in the World. It was very instructive to me that not one of the participants' outlook went beyond seven to ten years.

Given today's financial climate, and the demands of Saul's REIT shareholders, their outlook too has to have a primarily 7-10 year focus. Unfortunately, many of the issues at stake at Kentland's Square relate to the consideration of a longer-term development outlook, which is why I now address this to you. It is a very rare occurrence for a citizen, such as myself, to raise my voice because the outlook of a development project is not intensive enough for the good of the community as a whole, but that is clearly what I espouse here. Following please find my comments in relation to this specific application for Kentlands Square:

I suggest that you immediately approve the parcel under consideration in **SDP-03-004**. This proposal, for a shopping building adjacent to Lowe's, is in keeping with the design intent for a MXD zoned pedestrian-oriented environment, and will enhance the quality of life for all residents of Gaithersburg. If the Office/over/Retail model proves as successful as I think it will, Saul will be tempted to repeat it over and over again on their property. I also petition for approval of the corner building "Pad Site B", adjacent to the "Blockbuster Video", as proposed in **SDP-03-005**. It will enhance the pedestrian-oriented nature of the commercial environment envisioned with the MXD zoning. I suggest immediate approval of this portion of the application of **SDP-03-005**, so that Saul Centers can move forward right away with their work that will benefit all of us.



Existing site showing parking loads. Lowe's in blue; Kentlands Blvd in purple.



New Proposed Development in Red suggested for immediate approval.

However, it is the mid-block buildings, "Pad Sites C,D&E" in application SDP-03-005, between this corner building next to "Blockbusters" and the "Mattress Discounters", across from O'Donnell's parking lot, about which I am very concerned. I have prepared some exhibits related to these concerns that I have shared with Saul Centers, a client of the architectural firm for which I work.

My concerns are twofold:

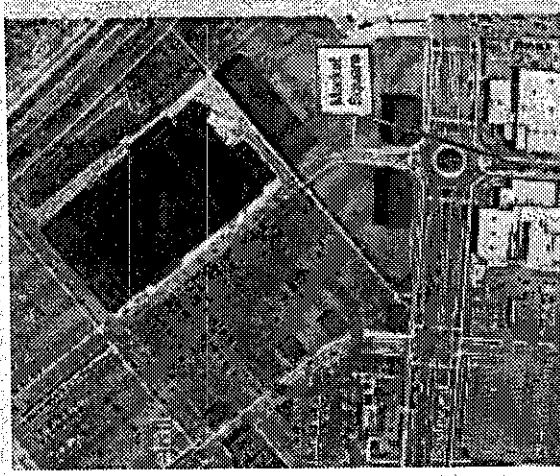
- 1) These buildings promote a streetfront which is not continuous with the two existing pedestrian corridors to Kentlands Square shopping center from Kentlands/Lakelands. These two pedestrian corridors are currently Market Street and Main Street.
- 2) These buildings, (and the leases within them) will likely prohibit any further development on the Saul Center's property, as there will be little ability to phase future parking, particularly decked parking, to promote the higher intensity of uses envisioned in the MXD zoning. The proposed program (i.e. three pad sites) could be placed elsewhere on the Saul Center's parcel (i.e. the north side or east side facing Lowes), without fundamental change to the design of the buildings or their ability to be leased, and allow for the potential of having further growth into the future.

#### First concern

An ideal retail pedestrian corridor has a continuous wall of buildings on both sides of the street, with retail located on the ground floor with shop and office entries every 20-35' max. These conditions exist both at Market Street and (for the most part) in Main Street, which both dead-end into Kentlands Blvd at Kentland Square's south.

In the construction of retail across from O'Donnell's parking lot, I would suggest that we are creating a segment of street frontage that will likely be discontinuous in perpetuity with all other retail within Kentlands. Certainly, O'Donnell's is not likely to build the other side of the street, but more importantly, given the impact of the parking loads from Fresh Fields and Petsmart, it will be difficult, if not impossible, to phase a retail corridor that will connect back to the heart of Kentlands/Lakelands through the Beatty property. I suggest, rather, it is in the public realm's best interest to attempt to enhance the streetwall at Market Street, as well as to continue the extension of Main Street, by extending the line of the "Main Street" retail already begun with the Chevy Chase Bank, Party Store and Blockbuster Video. This would complete one whole side of a street (from Lowes to Chevy Chase Bank) that could be considered an "A" street, as opposed to a simple segment of a "B" street that is currently contemplated.

#### Second concern:



Existing site showing the proposed pad sites and their parking loads

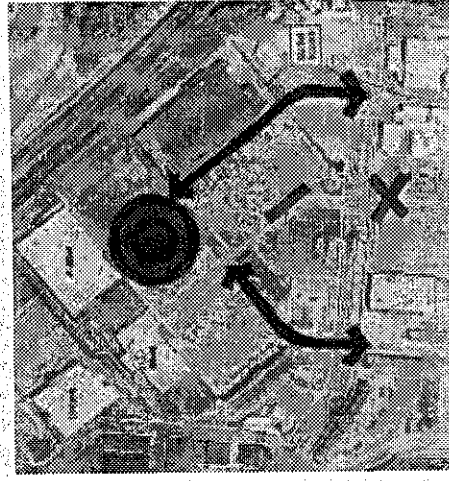
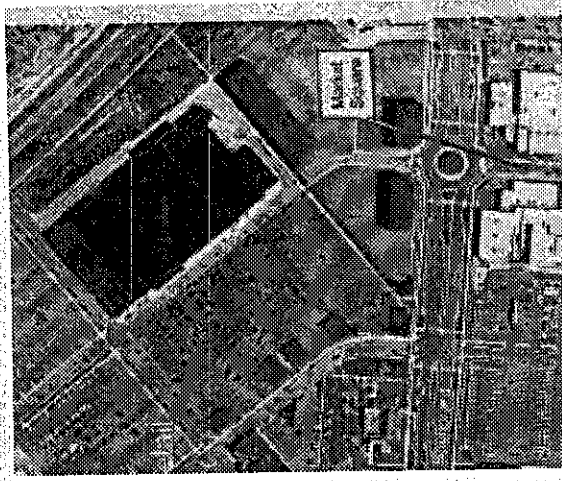


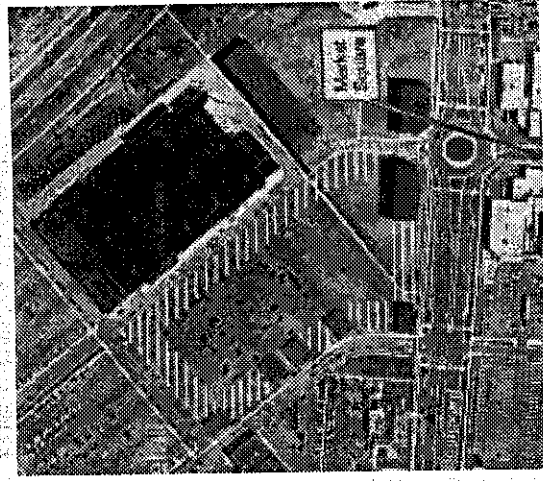
Diagram showing main pedestrian corridors to Kentlands Square shopping center; Main Street is on the left, Market Street is on the right.

It appears to me that more time needs to be spent by the City's planners reviewing the impact of building placement and parking on the phasing of long-term development at Kentlands Square. The plan before you in **SDP-03-005** will max out the development potential of the Saul Property, which I argue is not in the City's or Saul's best interest. The proposed program (the three pad sites - Pad Buildings C, D, & E) could be located elsewhere on the site, say on the north side of Saul's property, and allow for future expansion on the site. As currently planned, all of the ground of Saul's Property will be utilized for parking and pad sites, and little ability to phase future growth is accommodated. If Saul tried to build another building, let alone a parking deck, one of their existing tenants would scream, because it would definitely impact their ability to operate by impacting the proximity of their parking.



Parking loads of the new pad sites are shown in light red.

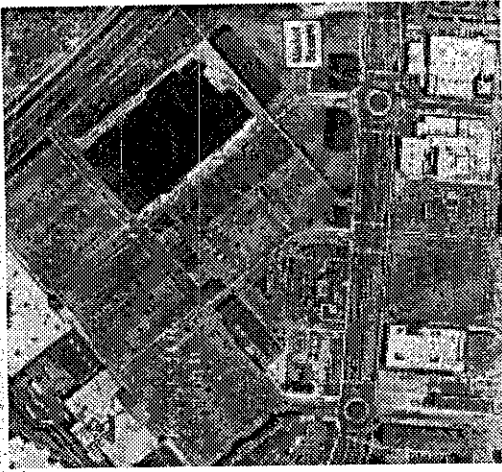
If these buildings are approved, the citizenry of Gaithersburg will be likely laden with a suburban strip center surrounded by parking for the long term, with little potential for expansion or growth. In the future it will be extremely difficult, if not impossible, to continue a wall of building retail frontage along Market Street into the heart of Kentlands' Square. If the city is inclined to approve this proposal, they should garner assurances from Saul Centers that the leases signed for these buildings will be immediately transportable by Saul Centers to other sites within Kentlands Square, or simply terminatable.



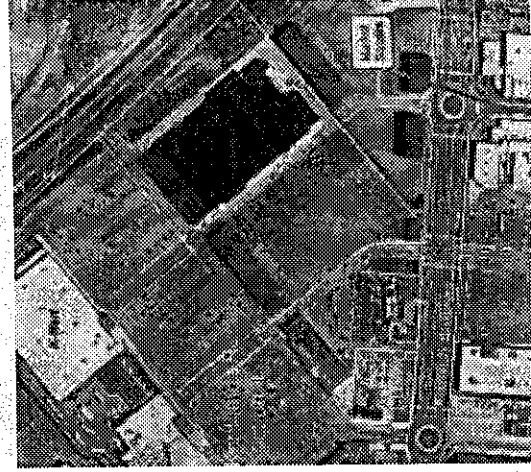
Block edges which would be left unbuilt into perpetuity are shown in yellow.

### Council Member Schlichting's Alternate Phasing Proposal:

I would concur with Council Member Schlichting, as he suggested in the Council Meeting on June 2nd, that it is better for the community at large, as well as for Saul Centers, that their next three pad sites are phased on the north side of their site, along the continuation of the "A" street extension of Main Street. Remember, there is a shared parking agreement between this property and the property to the north, which can be used to our advantage in considering the long term growth of Kentlands Square. By building the Pad Sites on the north side of their property, they leave a large expanse of land available for future growth.



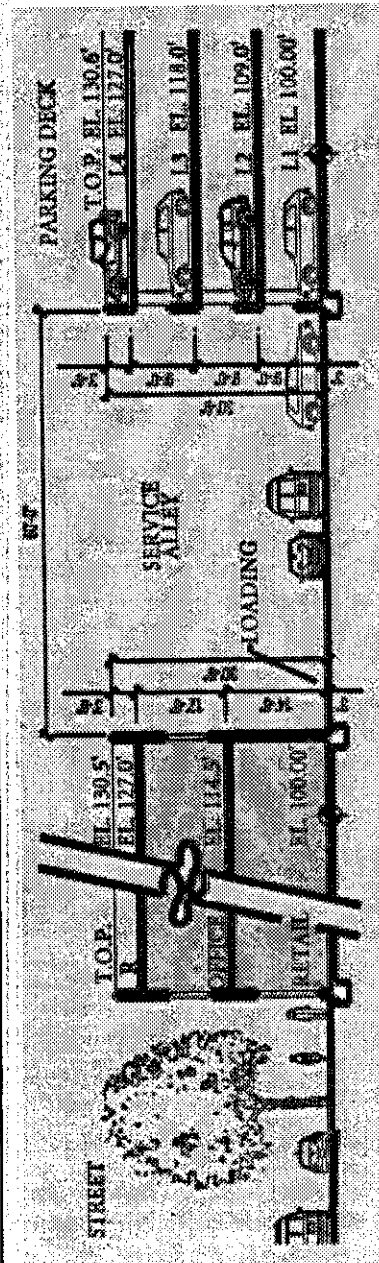
Parking loads of existing properties are shown in aqua, light blue, and purple. New parking loads are shown in red.



Location for new parking deck/retail structure shown in orange.

Upon this land, a parking deck or deck with additional retail below (similar to that at the Washingtonian) could be added. The retail below could be configured as separate shops facing O'Donnell's parking lot, or they could be organized as one Big-box retailer. While this project is under construction, Lowes parking would not be interrupted, and their business could go on without impact.

These plan diagrams rely on the proven conceptual model illustrated in the section on the following page. Ideal market retail has a minimum floor to floor height of 14'-6". Some developers like to go as high as 20'-0". Office space has a minimum floor to floor height of 12'-6". Using the two-story, inexpensive, bar joist building type as already proposed by Saul in SDP-03-004, one can screen a four level parking deck, as shown in the diagram below, because the typical floor to floor for a parking deck is 9'-0". The developer can avoid, at a considerable savings, combining construction types, such as has been done at the Washingtonian Center, by not spending money on the kind of stuff you don't see, (like more complex building systems necessitated by mixing uses), and spending it on the things you can see, such as the exterior facades.



Upon completion of the deck, Lowe's could then utilize the parking deck (from access opposite Lowe's main entrance), similar to the way that many large big box retailers operate today, such as Home Depot and Cosco in Gaithersburg. They could also, as suggested by Mayor Katz, move their main commercial entrance/loading operations to the rear of their store, as they have done in other locations in the country. This would allow for the potential, at some future date, of the construction of buildings that would continue the street corridor of Market Street into the heart of Kentlands Square.

Council Member Schlichting's alternate phasing proposal appears to allow Saul Centers the same amount of program that they are currently requesting, allows them to use the same basic building designs that they have already paid for, and allows for additional growth in the future, which I would think is in both their and the City's best interest.

As an additional note, I also urge the City to consider the use of PID or TIFF financing vehicles to help defray the initial cost of construction for parking decks, in this location and elsewhere in Kentlands Square, to promote and accelerate the creation in the long term of a vibrant pedestrian-oriented retail/office environment. If, as I expect will be the case, the office over retail building that Saul is proposing proves successful, the model for quality commercial development at KentlandsSquare will hinge on the provision of free and convenient concentrations of parking.

Thank you for your time and consideration.

Brian O'Looney  
102 Kent Square Road  
Gaithersburg, MD 20878

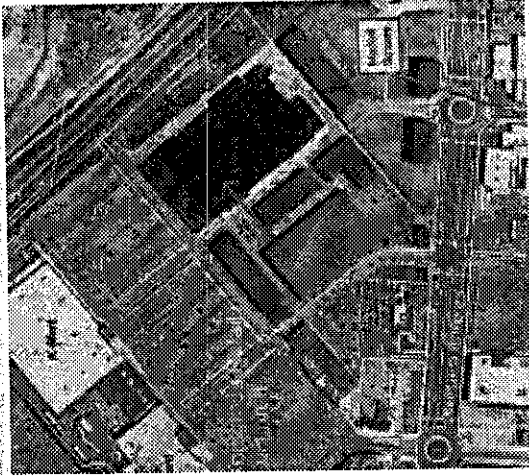


Diagram showing full potential build-out on Saul Center's existing property.

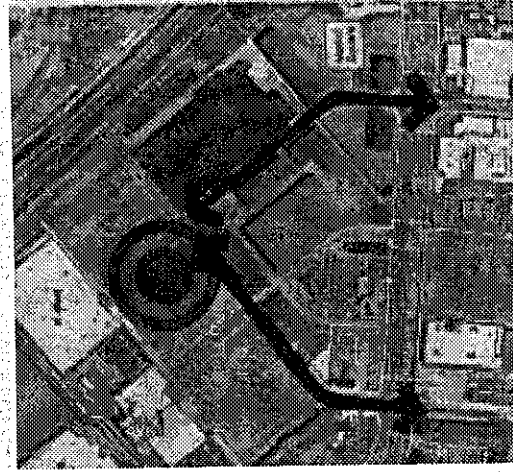


Diagram showing how Council Member Schlichting's proposal could eventually achieve our community's goals.



TRANSCRIPT OF  
JOINT PUBLIC HEARING

ON

**SDP-03-004**

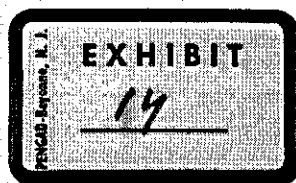
Saul Holding Limited Partnership c/o Saul Center, Request to Amend the Approved Schematic Development Plan **SDP 7-1**, Section 3, Lot 1, Block Q, From 26,000 Square Feet of Retail Land Use to 17,686 Square Feet of Office Land Use and 24,405 Square Feet of Retail Land Use for a Total of 42,091 Square Feet of Mixed Land Use in Accordance With §24-160D.11 and §24-198(c) of the City Code. The Subject Property is Located at 183 Kentlands Boulevard, Midtown/Kentlands, Lot 1, Block Q and is Bordered by Great Seneca Highway and Kentlands Boulevard. The Subject Property Consists of Approximately 3.41 Acres of Land and is Zoned MXD (Mixed Use Development)

BEFORE THE  
CITY OF GAITHERSBURG  
MAYOR AND CITY COUNCIL  
AND  
PLANNING COMMISSION

ON

June 2, 2003

Transcribed by  
Doris R. Stokes



PARTICIPANTS

CITY COUNCIL

Mayor Katz  
Council Vice President Edens  
Council Member Alster  
Council Member Marraffa  
Council Member Schilchting  
Council Member Somerset

PLANNING COMMISSION

Chair Keller  
Vice Chair Bauer  
Commissioner Levy  
Commissioner Winborne

(Absent: Commissioner Hicks)

CITY MANAGER

David B. Humpton

CITY ATTORNEY

Stanley D. Abrams

STAFF

Planner Janousek

PUBLIC SPEAKERS

John Collich, Senior Vice President, Saul Centers  
Gary Unterberg, Rodgers Consulting, Inc.  
Chris Cowie, Architect, Cowie Associates, PC  
Richard Arkin, 121 Selby Road  
Jim Savitz, 177 Kentlands Boulevard, An owner of Village Settlements  
Rick Marvin, 223 Little Quarry Road



Katz           The next item that we have is going to be public hearings and I would like to invite the Planning Commission to please come forward and join us. The first we have, we have three this evening. The first two of which will be joint public hearings. And as they are coming forward, I see Dan Janousek from our City staff is coming forward who will be explaining at least the first one, I don't know, well yes and the second one. Dan if you can please begin.

Janousek       This is a public hearing on Schematic Development Plan 03-004. This hearing was advertised on May 14 and May 21, 2003 in the *Gaithersburg Gazette*. At the present time, there are 6 exhibits in the record file. They are referenced as exhibit list in the file. The individual exhibits may be reviewed during the course of the meeting or in the Planning and Code Administration Office during regular business hours at City Hall. Any objection to the receipt of any exhibit should be noted prior to the closing of the record; otherwise they will be deemed received in evidence. The applicant proposes to amend the SDP from 26, 000 square feet of retail to 42,091 square feet of mixed land use which includes office and retail. Gary Unterberg is here from Rodgers and Associates. John Gollich is here, Vice President of Saul and I think I will turn it over to John to start the presentation.

Katz           Thank you very much. Good evening.

Gollich        Hi my name is John Gollich and I am the Senior Vice President with Saul Centers, based here in Montgomery County, Maryland. We are publicly (inaudible) and we have approximately 34 commercial properties and about 6-1/2 million square feet investments in the City at this time. We have (inaudible) Business Park and recently we were successful in acquiring Parcel L of Market Square.

Katz And for those of you that don't know REIT is a real estate investment trust. We always try to do that to planners; they use initials, but go ahead please.

Gollich As far as the property we are discussing at this point in time, we are contract purchasers for about 3.41 acres of land. We initially thought to build it in accordance with the buy right development which was 26,000 square feet. And this being the last piece of raw land in I guess the Market area, it became apparent that a single level retail facility was not a strong of development as everyone wanted to see. So we went back to the drawing board and analyzed the property, analyzed what could be done. And we came up with some, what we perceive to be creative ideas that will hopefully be well received here, because we would like to make more investments in the City. Here tonight I have Gary Unterberg with Rodgers and Associates to go through the engineering of the development and Chris Cowie with Cowie and Associates to give you a little history on how we came up with the design. And with this I would like to introduce Gary Unterberg.

Katz Thank you very much.

Unterberg Good evening. And I am going to take the microphone here and walk you through the site. I'm Gary Unterberg with Rodgers Consulting. We did the engineering and the site design for this property. This is known as Lot 1, which is located, we have Great Seneca Highway along here, and this is Kentlands Boulevard. We have the roundabout which is bordered by the two newly constructed buildings, the Long and Foster building and the Village Settlement building. We have the Mobil gas station right here. The new entrance road or access road which comes back into the site and accesses the Lowes Parking lot. The Lowes building is right here, those are the buildings that frame the site. This is the site here known as Lot 1, and a little history first. This is part of SDP-7 which was the SDP that

included part of Midtown which is the four lots that includes Long and Foster, Village Settlements, Mobil and then the subject property. It also included a large portion of the development across the street which included Market Square Midtown 4, which is known as Kentlands, the Bluffs. And then not shown on this, but south of the area, a larger portion of Lakelands, Phase I. With that, we go to the larger drawing that the site is specifically on. This is the site itself; it is a little over three acres. It includes a portion of stream valley along Great Seneca Highway. Again, we have the Village Settlement building, the Long and Foster building. The actual drive aisle is part of this lot that is in place. It provides access to Long and Foster, to the Village Settlement lot and also to the Lowes lot. This configuration which you see is very similar to what was approved on the original SDP. The building is a rectangular building in this location that backs up the Lowes building back here and then has parking field in front and that parking field interconnects with the drive aisle that connects with the Mobil gas station, the Village Settlement lot and then the main drive aisle out in front. January of this year, a site plan was submitted for this lot for 26,000 square feet of retail. That application has been, is pending. It has been deferred right now for Saul Centers conversations with the City, with the residents and other interested parties. And we are back here tonight with an amended SDP that is roughly a little over 24,400 square feet of retail which is on the first floor. And then a little over 17,600 square feet of office which is on the second floor and it is primarily about 2/3 of the second floor and you will see in the architect shortly how that works. Retail is, the front doors are along this southern side that faces the parking field. There is a tower element, focal point here, a little plaza area which we will be detailing out at site plan with a little bit more detail. The office entrance is this other corner here that faces both the Lowes lot and the access road that interconnects all these areas. The total proposed is a little over 42,000 square feet of office and retail mixed use. The parking field is 132 spaces which is over 7 over the 125 required for the mixed use

calculation with office and retail. With that I will turn it over to Chris Cowie to walk you through the architecture to walk you through the architecture.

Katz Ok. Thank you very much. Good evening.

Cowie Hi, my name is Chris Cowie. I'm an architect with Cowie Associates. I've been working on this project with Saul Centers. The architectural inspiration and what we are drawing from are the traditional building elements that are in Kentlands from the older Mansion building to the newer more recent developments. And we also looked to the neighboring buildings. Some of the recent buildings that have gone up. Commercial buildings as well as some of the existing retail buildings. The elevations you see on the board here, south elevation along the bottom of the drawing are the retail store entrances along the bottom here. The office comes about 2/3 of the building from the corner entry feature over to here and then the building steps down to the one story retail store entrances. The traditional building elements that we looked at were pitched roofs.

Katz Wait a minute. You are going faster than the camera is going. Can you show the roof again please?

Cowie Yes. The focal entry feature, the tower on the left end of the building here incorporates some of the traditional building elements, a sloped roof, the architecture trim, decorative elements applied to the building, traditional building materials, brick, windows, architectural trim, awnings on a stone base and decorative light fixtures. We are also looking at the traditional application of wood trim as it has been used in some of the other recent commercial buildings in the area. Along the storefronts down here, decorative trim up top. The roof as it extends over the office area with some dormer elements. And the idea is to create a group of buildings, the tower feature on the corner and then another building here stepping down, a different treatment of dormers, another gable feature here. Dormers

stepping down and creating a rhythm along the streetscape façade on the south elevation that creates both a variety with those traditional elements, but also a unity that the project ties together as a whole and compliments the Kentlands community. The architectural treatment here on the corner tower, you see again in this west elevation over here. This is the west elevation with the same corner tower feature we were looking at on the south elevation which is the focal point with the plaza out in front that turns the corner and the architectural elements are then carried along the west façade over to the entrance for the office that is right here. Then again as I turn the corner and come up to the north elevation, that same office entry feature shown here on the north elevation and then carrying the same materials and treatment on the back façade and then along the north elevation that facing back to the Lowes and is more of a service entrance area. Again, just in summary, we are trying to fit and be compatible with the traditional elements found in Kentlands and create an interesting variety of architectural elements as well as a unity of presentation and trying to use rich traditional building materials as well for the brick, stone base, awnings, the store fronts, wood trim, and decorative corner moldings. And that's the architectural presentation.

Katz           Ok. Is there any additional presentation? No. Ok. Any questions of any of the presenters.

Levy           You didn't go over the east elevation. And I am wondering, you have tower feature, but what's to the right of that? Are those windows or what is that?

Cowie          The east elevation is shown here and that is at the end. If I orient you on the south elevation, here there is a tower feature which I should also point out that we are looking at an alternate to the dorms top. We have an alternate peaked top that we think might be a little bit more traditional and fit in a little bit better. As you turn from the south elevation on this corner

here over the east elevation, that tower repeats itself. There is some store front and awning and then the decorative kornish trim and brick (inaudible) carried along that façade. There are not windows along this area here that the retailer typically needs that interior space for interior display. But we are trying to create and carry that rhythm and architectural treatment along the east elevation as well.

Katz And obviously this goes through a site plan review so that the details of the architecture, you all will have to look at them.

Levy Right. The one comment I would want to make right now though, as this still in an early stage, that in the north elevation you said that everything on the far left side is just service entrances. But this is going to be something that people are going to see. This building is going to be observed on four sides. And my understanding is that this is the side that faces towards the Lowes? I just find that too bare.

Edens There is a loading dock on the other side.

Marraffa But it is like an alley way.

Cowie This might help the orientation of the north façade. This is (inaudible) corner on the plaza, we (inaudible) treatment around to the corner where the office entrance is and then as you come down along the north façade, there is sought of an alley way between Lowes building that is here and is a loading area. And there will be (inaudible) doors for the first floor stores. We are proposing to carry the color palette and materials along that façade, although it is a simpler more (inaudible) area.

Katz I think it would be a good suggestion when it does come before the Planning Commission that you have more detailed descriptions please.

Cowie        Ok.

Katz        Any other questions of any of the presenters. Ok. We would like to hear from the public. Is there anyone in the audience that would like comment? Please Mr. Arkin. You know that we ask that you please; you can do my speech for me. You know that you please keep your remarks to no more than three minutes and that you state your name and address for the record.

Arkin        I will try and talk fast. I guess the best thing that can be said for this is it is very better than the proposal that we saw some months ago. And primarily that is because it begins to offer mixed use with some office development on the second floor. But it still relates to the parking lot where there is the Market Street extend. What they refer to as the service route. This was shown last week for the first time to the Kentlands community, but not to the Kentlands community architect. They said they have sent it over the architect for comments, but I don't believe those comments are in the record at this month. It is hard to see what elements from Kentlands are being drawn front in the design. It seem to be a (inaudible) of details that don't really have a coherent theme. The tower element is not correctly proportioned. The windows are not the kinds of windows you see elsewhere or anywhere in the community or the commercial buildings of the period that I think this is trying to emulate. It really seems to; the tower element seems to copy the Savitz building without really truly being properly proportioned. So rather than becoming an imitation as a serious form of flattery. I think it becomes an imitation as characterure. I think a lot of the detailing needs work should this be approved in the site plan stage. But in the SDP stage, I would ask you to seriously consider how well the orientation of the building should be for this parking lot. What they describe as a streetscape is really a parking lot scape. (inaudible) try to (inaudible) as much as possible toward that short stretch of Market Street extend which is an A street in the community. I

think we heard Duany talk about A streets, B streets, C streets. A streets being Main and Market. B being Kentlands Boulevard and C being I guess it could be a street like Seven Point Way. But this parking is really a D street if it's anything at all. So I respectfully suggest that it still needs a lot of work. Thank you very much.

Katz Thank you. Anyone else in the audience please? Is that Mr. Savitz's hand please. If you would like to come forward.

Savitz Jim Savitz, 177 Kentlands Boulevard, Gaithersburg 20878. I'm one of the owners of the Village Settlements building, not the Savitz building. If my partners keep hearing that, that would be the end of my interest. A couple of points were raised by Mr. Arkin. I did want to make sure that Mike Watkins had looked at this concept because I know this is the first time that I have seen it. The tower is very, very similar to our tower and I didn't know whether that was a good thing or a bad thing architecturally. I just don't know, but I had hoped that he would be able to look at that and be able to put his comments to it. Another concern I had was I believe was answer and that is to make sure that any loading be accessible to the back. Contrary to Mr. Arkin's opinion, I love obviously because of the location of our building, I love the way this thing lays out. Because right now we have a beautiful view of the loading docks, the boxes, the packing crates and I think that it would enhance the whole area of the community by stretching this the way it is stretched. That way the restaurants that are behind our building with their (inaudible) and their outdoor eating areas would face another retail/office area. And I think it would very complimentary as opposed to leaving that parking area open in the back. So I would like to point out that we love the way that this lays out and that it was nicely designed for our purposes. Again I am most concern that the loading docks; all the trouble that I've had with trucks that the loading be right where it's proposed to be. And finally, I would like to see this thing move forward as quickly as possible. It would be nice to see a thriving



retail/office area adjacent to us instead of the trucks and loading docks.  
Thank you very much.

Katz Thank you Jim. Anybody else in the audience please? Please Mr. Marvin.

Marvin One comment about traffic.

Katz You are going to need to give your name and address please.

Marvin Oh I'm sorry. I should know this drill by now.

Katz You should Rick.

Marvin Rick Marvin, 223 Little Quarry Road. I think if I can just point it out on these diagrams here. One of the problems you are going to have is traffic circulation in here. And what might be done is actually down here in front of the gas station. We have a very bad intersection that needs to be re-engineered. I would suggest perhaps adding a roundabout here that would add (inaudible) feed forward the traffic directly into the area, rather than coming up here and loading that in an already congested access to the site. Other than, it looks like a fairly decent plan and obviously there will be some tweaking.

Katz Thank you very much. Anyone else in the audience please? I'm seeing none is that correct? It's been suggested that the Planning Commission hold their record open for eleven (11) days which brings it to June 13<sup>th</sup> and they will make a recommendation to the Council on June 18<sup>th</sup>. And the Mayor and City Council hold their record open for thirty (30) days until July 2<sup>nd</sup> and that we will have a Policy Discussion on July 7<sup>th</sup>. What is the pleasure of the Planning Commission please?

Keller Do I have a motion to hold our record for eleven days?

Bauer So moved.

Levy Second.

Keller All in favor?

Commission Ayes (4-0)

Keller Motion passes 4-0.

Katz And what is the pleasure of the Council

Schlichting Mr. Mayor I move that we hold our record open on SDP-03-004 for thirty (30) days until July 2<sup>nd</sup>.

Marraffa Second.

Katz It's been moved and seconded. All those in favor please say aye?

Council Ayes (5-0)

Katz Opposed? Carries 5-0. Thank you very much.

---

END OF JOINT PUBLIC HEARING  
SDP-03-004

**XI. PUBLIC HEARINGS**

1. **JOINT - SDP-03-004 - Saul Holding Limited Partnership c/o Saul Center, Request to Amend the Approved Schematic Development Plan SDP 7-1, Section 3, Lot 1, Block Q; From 26,000 Square Feet of Retail Land Use to 17,686 Square Feet of Office Land Use and 24,405 Square Feet of Retail Land Use for a Total of 42,091 Square Feet of Mixed Land Use in Accordance With §24-160D.11 and §24-198(c) of the City Code. The Subject Property is Located at 183 Kentlands Boulevard, Midtown/Kentlands, Lot 1, Block Q and is Bordered by Great Seneca Highway and Kentlands Boulevard. The Subject Property Consists of Approximately 3.41 Acres of Land and is Zoned MXD (Mixed Use Development)**

*Planner Janousek* stated the above hearing was advertised on May 14 and May 21, 2003 in the *Gaithersburg Gazette*. He noted the applicant is proposing to amend the SDP from 26,000 square feet of retail to 42,091 square feet of mixed land use which includes office and retail.

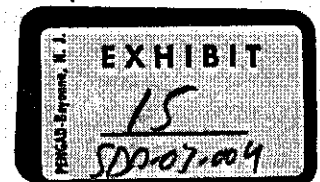
*John Collich, Senior Vice President, Saul Centers*, which has approximately 34 commercial properties and about 6-1/2 million square feet investments in the City at this time. He stated the 3.41 acres of land is the last in the Market Square area.

*Gary Unterberg, Rodgers Consulting, Inc.*, oriented the City Council and Commission with the engineering and development/design of the property. He stated there will be a new access road which comes back into the site and accesses the Lowes parking lot. The site is known as Lot 1 and is part of SDP-7, which was the SDP that included part of Midtown which is the four lots that includes Long and Foster, Village Settlements, Mobil and then the subject property. He stated that the actual drive aisle is part of a lot that is already in place which provides access to the lots of Long and Foster, Village Settlement, and Lowes. He explained that the building is a rectangular building that backs up the Lowes building back here and then has parking field in front and that parking field interconnects with the drive aisle that connects with the Mobil gas station, the Village Settlement lot and then the main drive aisle out in front. He reviewed the square footage for each floor, office entrance, parking field, tower element, plaza area, and the access road that interconnects all the lots. He stated that the total proposed is 42,091 square feet of office and retail mixed use with a parking field of 132 spaces which is seven over the 125 required for the mixed use calculations with office and retail.

*Chris Cowie, Architecture, Cowie Associates, P.C.*, reviewed the architectural design stating that the drawings are from the traditional building elements such as pitched and sloped roofs, architectural trim, decorative elements, traditional building materials, brick, awnings, stone base and decorative light fixtures, wood trim, tower feature, and decorative moldings that are found in the Kentlands. Mr. Cowie reviewed the retail store entrances and the different elevations and their focal points. He stated that the design team wanted to create an interesting set of buildings with a variety of architectural elements rich in traditional building materials.

Speakers from the public:

1. *Richard Arkin, 121 Selby Street*, supports the mixed use with office development on the second floor, but suggested that the Kentlands Town Architect look over the plan. He asked the City Council and Commission to consider the Market Street connection and parking lot. He expressed concern with the design details not having a coherent theme, the tower element not correctly proportioned, and the windows being different from what is found in the community.
2. *Jim Savitz, 177 Kentlands Boulevard, one of the owners of the Village Settlements building*, asked that the Kentlands Town Architect Mike Watkins look over the plan and tower. He expressed concern with the loading being accessible to the back. He expressed support with the lay out of the plan. He asked the City Council and Commission to allow the plan to move forward.



3. *Rick Marvin, 223 Little Quarry Road*, expressed concern with traffic circulation and entryways of the plan.

There were no other speakers from the public.

Motion was made by Commissioner Bauer, seconded by Commissioner Levy, that the Planning Commission record on SDP-03-004, be held open for eleven (11) days.

Vote: 4-0

Motion was made by Council Member Schlichting, seconded by Council Member Marraffa, that the City Council record on SDP-03-004, be held open for thirty (30) days.

Vote: 5-0

2. **JOINT - SDP-03-005 - Saul Holding Limited Partnership c/o Saul Center, Request to Amend the Approved Schematic Development Plan SDP 3, Section 1, Parcel L, Block Q, From 353,201 Square Feet of Building Area 373,201 Square Feet of Building Area in Accordance With §24-160D.11 and §24-198(c) of the City Code. The Subject Property is Located at 317 Kentlands Boulevard, Kentlands, Section 1, Parcel L, Block Q and is Bordered by Great Seneca Highway and Kentlands Boulevard. The Subject Property Consists of Approximately 33.75 Acres of Land and is Zoned MXD (Mixed Use Development)**

*Planner Janousek* stated the above hearing was advertised on May 14 and May 21, 2003 in the *Gaithersburg Gazette*. He noted the applicant is proposing the construction of 20,000 square feet of retail/commercial land use in four one-story buildings on an existing retail/commercial site. He stated a parking study is part of the application.

*John Collich, Senior Vice President, Saul Centers*, stated Parcel L was purchase with the desire to build another building on the site. The applicant is now proposing four buildings on the parcel to shield the parking lot and create exciting store fronts. He stated that the buildings will be broken up with landscaping, a plaza, and walkways.

*Gary Unterberg, Rodgers Consulting, Inc.*, oriented the City Council and Commission with the site off Kentlands Boulevard and its neighboring buildings. He gave a brief background stating the plan was previously approved as part of SDP 3, which included the Lowes and Giant lots, and others with the original plan now modified. He stated the applicant would like to create a streetscape with four building sites. He stated that all the buildings will face the street with some parallel parking, accommodating traffic movement with access to the parking field near Lowes. In closing, he stated the applicant is requesting a waiver of 230 parking spaces.

*Chris Cowie, Architecture, Cowie Associates, P.C.*, reviewed the elevations, entryways, and storefronts facing out to the street to create a streetscape. He stated that traditional building elements and materials will be used for the buildings.

*Michael Workosky, Engineer for Wells & Associates, LLC*, he stated a parking study was prepared for the project. He stated occupancy counts were done on the site on a weekday and on a Saturday on hourly intervals. He stated there is sufficient parking to accommodate the weekday and Saturday peak hours for the Kentlands Square Shopping Center and its surrounding buildings.

Mayor Katz asked if Saul Centers owned the Lowes parking lot and questioned the use of parking spaces for sale items. Saul Centers is working with the management to address the concern.

III. CONSENT - DISCUSSION

AFP-03-027 -- Goodwill Retail Store  
619 South Frederick Avenue  
Gate Addition to Fencing  
AMENDMENT TO FINAL PLAN REVIEW

CD Zone

Community Planning Director Schwarz presented the approved site plan of this property, noting the Planning Commission approved it in April 2003 for site improvements. She indicated that the subject application proposes an amendment to that plan for the addition of five double-swing gates with locks to the approved fencing, in a manner described in the staff comments previously furnished to the Commission. She noted that staff considers the gates are needed to improve security on the site.

*Applicant Gene Ficcarra, Davis Memorial Goodwill Industries, was available for questions.*

The Commission agreed the gates were necessary and moved as follows:

Commissioner Bauer moved, seconded by Commissioner Hicks, to grant AFP-03-027 - Goodwill Retail Store, AMENDMENT TO FINAL PLAN APPROVAL.  
Vote: 5-0

IV. RECOMMENDATIONS TO MAYOR & COUNCIL

1. SDP-03-004 -- Saul Holding Limited Partnership c/o Saul Center  
Application to amend the approved schematic development plan SDP-L7-1, Section 3, Lot 1/Block Q, from 26,000 square feet of retail land use to 17,686 square feet of office land use and 24,405 square feet of retail land use for a total of 42,091 square feet of mixed land use in accordance with §24-160D.11 and §24-198(c) of the City Code. The subject property is located at 183 Kentlands Boulevard, Midtown/Kentlands, Lot 1/Block Q, bordered by Great Seneca Highway and Kentlands Boulevard. The subject property consists of approximately 3.41 acres of land and is zoned MXD (Mixed Use Development).

*NOTE: No additional testimony was taken.*

Planner Janousek referenced the staff analysis of this application, adding staff is in support of this project. Noting the record is closed, he read the conditions recommended by staff as listed in the motion below, adding, however, that since the parking provided exceeds the requirement, Condition 4 in the staff analysis can be deleted.

Commissioner Bauer voiced his support of the proposal, noting it completes the overall project.

Commissioner Bauer moved, seconded by Commissioner Hicks, to recommend to the City Council APPROVAL of SDP-03-002, with the following conditions:

1. Final elevations are to be approved by the Planning Commission;
2. The landscape plan is to be further refined by the applicant;

EXHIBIT

16

SDP-03-004

PERCLO-Baynes, M. J.

3. Applicant is to provide all necessary joint access and parking easements for review and approval during the final site plan process; and
4. The streetscape design, including the street widths, sidewalk widths, street trees, planting strips, and sidewalk locations are to be consistent with Kentlands and other similar projects in the City. The applicant is to work closely with City Staff to incorporate a final streetscape design to be reviewed and approved during the final site plan process.

Vote 5-0

2. SDP-03-005 -- Saul Holding Limited Partnership c/o Saul Center  
Application to amend the approved schematic development plan SDP-3, Section 1, Parcel L, Block Q, from 353,201 square feet of building area to 373,201 square feet of building area, in accordance with §24-160D.11 and §24-198(c) of the City Code. The subject property is located at 317 Kentlands Boulevard, Kentlands, Section 1, Parcel L, Block Q, bordered by Great Seneca Highway and Kentlands Boulevard. The subject property consists of approximately 33.75 acres of land and is zoned MXD (Mixed Use Development).

*NOTE: No additional testimony was taken.*

Planner Janousek stated this application was the subject of a joint public hearing with the City Council on June 2, 2003, and three exhibits were added to the file. He referenced a memorandum to the Commission from Long-Range Planning Director DePoe, which discussed the basis for staff's reconsideration of its original recommendation for denial of the proposal. Mr. Janousek explained that the result of a meeting of staff and the applicant, subsequent to staff's preparation of the staff analysis, was the applicant's response to staff's concerns with certain aspects of the plan, meriting staff's recommendation for approval, subject to the applicant's compliance with conditions that Mr. Janousek listed. He cited in particular staff's requests for the removal of the access point between Buildings D and E for an additional pedestrian plaza, the widening of street and sidewalk widths, and other streetscape improvements.

Mr. Janousek noted that staff considers this proposal as an infill retail project, not a redevelopment plan, and should not preclude moving forward with a redevelopment plan for the Kentlands Square shopping area. He answered questions of Commissioner Winborne regarding the recommended conditions relating to the elimination of the access point, parallel parking along the frontage of the buildings, and shared parking in relation to a parking waiver.

Regarding the latter, Planning and Code Administration Director Russel noted that the applicant had just submitted a parking easement agreement which staff had not yet reviewed. She stressed the importance of a careful study of the shared parking agreement to ensure parking availability is adequate for a parking waiver, without which the buildings cannot be developed as presently proposed.

Commissioner Bauer suggested that other aspects besides parking such as visibility be discussed at meetings with adjacent property owners, adding that cross and sight sections be made available. He further recommended that staff work with the applicant to resolve the pedestrian access and vehicular circulation resulting from the elimination of the access. In addition, he favored minimizing the overall footprint for widening sidewalks and storefronts, and greater greenspace where existing rather than little pockets between the buildings. He